

Notice of Allowability

Application No.

10/615,108

Examiner

THUAN T. NGUYEN

Applicant(s)

GRADY, JEFF

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
 2. ☒ The allowed claim(s) is/are 1-38 and 41-75.
 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on 06/29/2007 has been entered.

Terminal Disclaimer

2. The terminal disclaimer filed on 11/17/05 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent 6,591,085 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Remark

3. Claims 39-40 and 76-102 have been canceled, and claims 1-38 and 41-75 are pending for reconsideration. Regarding the comments on the allowance in the previous action, the examiner appreciates the comments; yet the examiner feels it is unnecessary to repeat the claim languages of the claims BUT to the reasons the examiner believes the claims are allowable over the prior arts instead.

Allowable Subject Matter

4. Claims 1-38 and 41-75 have been allowed.

Reasons for Allowance

5. The following is an examiner's statement of reasons for allowance:

The closest prior art of records issued to White and Diaz fails to either alone or in combination to teach or suggest each and every feature of the present invention for an FM transmitter and power supply/charging assembly coupled to a MP3 player with the arrangement of docking, docking cavity with retention means for retaining the MP3 player in the position in the cavity, power charging circuitry, wherein the electrical power is transmitting through a modular docking unit and the power charging circuitry, and to accommodate FM transmission by the FM transmitter of audio content when played by the MP3 player in the docking cavity unit as cited in claim 1, and similarly as claimed in claim 31 and claims 36-38. White teaches a docking unit for a portable computer apparatus (Figs. 10 & 11); however, White is silent on whether the device is a MP3 or any digital media player; and the docking is not coupled to an FM transmitter for accommodating the FM transmission by the FM transmitter of audio content when played by the MP3 player in the docking cavity. Meanwhile, Diaz simply teaches a different technique by using a remote control for controlling an MP3 player coupled to the vehicle system (Diaz, col. 4/lines 47-59). Chang reads on claims 39-40 and 76-102, the cancellation of these claims renders the rejection of Chang is moot.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2618

Conclusion

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to the New Central Fax number:

(571) 273-8300, (for Technology Center 2600 only)

Hand deliveries must be made to Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (571) 272-7895.

The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tony T. Nguyen
Primary Examiner
Art Unit 2618

TTN
August 15, 2007